

ORDINANCE NO. 14-041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO

WHEREAS, the City Council of the City of Arlington, Texas (the "City"), hereby finds and determines that it is necessary and advisable to call and hold an election in the City for the purpose of submitting certain propositions pertaining to the issuance of bonds for the purposes hereinafter set forth; and

WHEREAS, the City Council hereby finds and determines that said election shall be held on a uniform election date established by Section 41.001(a) Texas Election Code, as amended, as required by Texas law; and

WHEREAS, the City Council hereby finds and declares that the meeting at which this Ordinance is considered is open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

Section 1. Findings. The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as part of the operative provisions hereof.

Section 2. Election Ordered; Date; Propositions. An election (the "Election") shall be held for and within the City on Tuesday, November 4, 2014 ("Election Day"), a uniform election date established by Section 41.001(a) of the Texas Election Code, as amended (the "Code"). At the Election the following propositions (the "Propositions") shall be submitted to the qualified voters of the City in accordance with law:

PROPOSITION NO. 1

"Shall the City Council of the City of Arlington, Texas, be authorized to issue general obligation bonds of the City in the amount of \$160,130,000 for the purpose of providing funds for permanent public improvements, to wit: designing, developing, constructing, improving, extending, and expanding streets, thoroughfares, sidewalks, bridges, and other public ways of the City, including streetlighting, right-of-way protection, and related storm drainage improvements; and acquiring rights-of-way in connection therewith; said bonds to mature serially over a period of not to exceed forty (40) years from their date, to be issued in such installments and sold at any price or prices and to bear

interest at any rate or rates as shall be determined within the discretion of the City Council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?”

#### PROPOSITION NO. 2

“Shall the City Council of the City of Arlington, Texas, be authorized to issue general obligation bonds of the City in the amount of \$60,000,000 for the purpose of providing funds for permanent public improvements, to wit: acquiring, developing, renovating and improving parks, park facilities and open spaces for park and recreation purposes in and for the City, including the acquisition of land therefor; said bonds to mature serially over a period of not to exceed forty (40) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the City Council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?”

#### PROPOSITION NO. 3

“Shall the City Council of the City of Arlington, Texas, be authorized to issue general obligation bonds of the City in the amount of \$9,780,000 for the purpose of providing funds for permanent public improvements, to wit: designing, constructing, reconstructing, improving, renovating, expanding, equipping, and furnishing firefighting facilities, including fire station facilities, and administrative facilities, including the acquisition of land therefor; and replacing and acquiring firefighting and emergency vehicles, equipment and apparatus; said bonds to mature serially over a period of not to exceed forty (40) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the City Council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?”

PROPOSITION NO. 4

“Shall the City Council of the City of Arlington, Texas, be authorized to issue general obligation bonds of the City in the amount of \$6,090,000 for the purpose of providing funds for permanent public improvements to wit: designing, constructing, improving, renovating, expanding, equipping, and furnishing libraries and related facilities, including the acquisition of land therefor; said bonds to mature serially over a period of not to exceed forty (40) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the City Council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?”

Section 3. Official Ballot. The Proposition shall be set forth substantially in the following form, so as to permit the voters to vote “FOR” or “AGAINST” the Proposition, which shall be set forth on the ballots in substantially the following form:

PROPOSITION NO. 1

- |                          |         |  |
|--------------------------|---------|--|
| <input type="checkbox"/> | FOR     | THE ISSUANCE OF \$160,130,000 GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS, AND THE LEVYING OF |
| <input type="checkbox"/> | AGAINST | A TAX IN PAYMENT THEREOF.  |

PROPOSITION NO. 2

- |                          |         |  |
|--------------------------|---------|--|
| <input type="checkbox"/> | FOR     | THE ISSUANCE OF \$60,000,000 GENERAL OBLIGATION BONDS FOR PARK, OPEN SPACE AND RECREATION IMPROVEMENTS |
| <input type="checkbox"/> | AGAINST | AND THE LEVY OF A TAX IN PAYMENT THEREOF.  |

PROPOSITION NO. 3

- |                          |         |   |
|--------------------------|---------|---|
| <input type="checkbox"/> | FOR     | THE ISSUANCE OF \$9,780,000 GENERAL OBLIGATION BONDS FOR FIRE FIGHTING FACILITIES, AND THE LEVYING OF A |
| <input type="checkbox"/> | AGAINST | TAX IN PAYMENT THEREOF.   |

PROPOSITION NO. 4

- |                          |         |   |
|--------------------------|---------|---|
| <input type="checkbox"/> | FOR     | THE ISSUANCE OF \$6,090,000 GENERAL OBLIGATION BONDS FOR LIBRARY IMPROVEMENTS, AND THE LEVYING OF A |
| <input type="checkbox"/> | AGAINST | TAX IN PAYMENT THEREOF.   |

Section 4. Persons Qualified to Vote. All resident, qualified electors of the City shall be eligible to vote at the Election.

Section 5. Election Precincts, Voting Locations and Voting Hours on Election Date. The voting precincts for the Election are hereby designated to be those municipal voting precincts identified by their respective county precinct numbers as determined by the Elections Administrator. Such locations incorporated herein by reference for all purposes; provided, however, such times and locations may be changed if so directed by the Elections Administrator without further action of the City Council. The Elections Administrator of Tarrant County is hereby authorized and directed to make such changes in polling locations as may be necessary for the proper conduct of the Election. Each polling place shall be open from 7:00 a.m. to 7:00 p.m. on the date of the Election.

Section 6. Early Voting Locations, Dates and Times. (a) The Elections Administrator of Tarrant County is hereby appointed as Early Voting Clerk for the election. Deputy early voting judges/clerks will be appointed as needed to process early voting mail and to conduct early voting. Early voting by mail shall be conducted in conformance with the requirements of the Code. The main early voting polling place is hereby designated to be the Tarrant County Elections Center, 2700 Premier St., Fort Worth, Texas 76111. Ballot applications and ballots voted by mail shall be sent to: Tarrant County Elections Center, P.O. Box 961011, Fort Worth, Texas 76161-0011. The Elections Administrator and/or the Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Code. Early voting shall be conducted by the Early Voting Clerk, at the main early voting polling location listed above, such location may be changed or additional early voting locations may be added by the Elections Administrator, without further action of the City Council, as is necessary for the proper conduct of the Election.

(b) In addition to the main early voting polling location, City of Arlington voters may vote at all early voting polling locations as designated and maintained by Tarrant County throughout the County such locations as listed in Exhibit A attached hereto.

(c) Early voting by personal appearance shall begin on Monday, October 20, 2014, and shall end at 7:00 p.m. on Friday, October 31, 2014, with the voting times to be as follows:

October 20 (Monday through Friday)	October 24	8:00 AM – 5:00 PM
October 25 (Saturday)		7:00 AM – 7:00 PM
October 26 (Sunday)		11:00 AM – 4:00 PM
October 27 (Monday through Friday)	October 31	7:00 AM – 7:00 PM

Section 7. Notice of Election. Notice of the Election shall be given by: (i) publishing a substantial copy of this Ordinance, in English and Spanish, on the same day of each of two (2) successive weeks not earlier than the thirtieth (30th) day nor later than the fourteenth (14th) day prior to the date set for the Election, in a newspaper published in the City, (ii) posting a copy of this Ordinance, in English and Spanish at the City Hall on the bulletin board used for posting notices of the meetings of the City Council and at three (3) other public places within the

boundaries of the City, not later than the twenty-first (21st) day prior to the date set for the Election and (iii) posting a copy of this Ordinance, in English and Spanish, on the City's website, prominently and together with the notice of the Election and the contents of the Proposition, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day. Additionally, on Election Day and during early voting by personal appearance, this Ordinance shall be posted in a prominent location at each polling place. Notice of the Election shall also be provided to the County Clerk of Tarrant County, Texas and the Tarrant County Voter Registrar not later than the 60th day before the Election Day.

Section 8. Conduct of Election. (a) The Election shall be conducted in accordance with the Code under the jurisdiction of the Tarrant County Elections Department (the "Elections Administrator") pursuant to an Election Services Contract (the "Contract") by and among Tarrant County Elections Department, the City and other participating entities, if any, described in the Contract. The City Manager or the City Manager's designee is authorized to amend or supplement the Contract to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Elections Administrator.

(b) Election judges, alternate judges and clerks shall be paid, as determined by the Elections Administrator, for their service in the Election.

(c) E-slate, a Direct Record Electronic (DRE) System shall be used for early voting by personal appearance, and paper ballots, which are optically scanned, shall be used for early voting by mail. In the November 4, 2014 election, the Elections Administrator shall cause paper ballots, which are optically scanned, to be prepared in the form of the ballot prescribed below, being in both English and Spanish, and shall furnish election officials said ballots, in such form, together with any other forms or blanks, in accordance with the Charter of the City of Arlington, Texas, the Constitution and laws of the State of Texas and the Voting Rights Act of 1965, and any amendments thereto, insofar as same are applicable. E-Slate, a Direct Record Electronic (DRE) System shall be provided and used at each polling location on Election Day.

(d) The holding of the Election shall be in compliance with the Code except as modified by other applicable provisions of law.

(e) The election officers shall make returns for the Election in the manner required by law, and the ballots that are properly marked in conformance with the provisions of the Code for votes cast both during the period of early voting and on the day of the Election shall be counted in the manner required by law.

Section 9. Additional Information Required by Section 3.009 of the Election Code.

(a) As of the October 1, 2013, the first day of the City's current fiscal year, the aggregate principal amount outstanding of tax-supported debt of the City was \$312,040,000 and the aggregate amount of outstanding interest on such tax-supported debt was \$94,216,096. The City's ad valorem debt service tax rate for the current fiscal year is \$0.20572 per \$100 of assessed valuation of taxable property in the City.

(b) The City intends to issue the bonds authorized by the Propositions over a period of years in a manner and in accordance with a schedule to be determined by the City Council

based upon a number of factors, including, but not limited to, the then current needs of the City, demographic changes, prevailing market conditions, assessed valuations in the City and management of the City's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations vary based upon a number of factors beyond the City's control, and therefore, the City cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Propositions. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The City currently estimates that, if the Propositions are approved and the bonds proposed herein are authorized and issued in accordance with the City's current project plan of finance, the maximum interest rate of the bonds is not expected to exceed 5.00%.

(c) Any additional information required by Section 3.009 of the Code is contained in Sections 2 and 3 of this Ordinance.

Section 10. Necessary Actions. The Mayor and the City Secretary of the City, in consultation with the City's Attorney and bond counsel, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Ordinance.

Section 11. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 12. Effective Date. This Ordinance shall take effect immediately upon adoption.

PRESENTED, FINALLY PASSED AND APPROVED, AND EFFECTIVE on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays at a regular meeting of the City Council of the City of Arlington, Texas

\_\_\_\_\_  
ROBERT N. CLUCK, Mayor

ATTEST:

\_\_\_\_\_  
MARY SUPINO, City Secretary

[SEAL]

APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

By: \_\_\_\_\_

*Signature Page for Ordinance Calling Election*

## EXHIBIT A



**TARRANT COUNTY EARLY VOTING**  
(VOTACIÓN ADELANTADA DEL CONDADO DE TARRANT)

**NOVEMBER 4, 2014**  
(4 DE NOVIEMBRE DE 2014)

**JOINT GENERAL AND SPECIAL ELECTIONS**  
(ELECCIONES GENERALES CONJUNTAS Y ESPECIALES)

**EARLY VOTING BY PERSONAL APPEARANCE DAYS AND HOURS**  
(DÍAS Y HORAS DE VOTACIÓN TEMPRANO POR APARICIÓN PERSONAL)

October (octubre) 20 – 24	Monday – Friday (Lunes – Viernes)	8:00 a.m. – 5:00 p.m.
October (octubre) 25	Saturday (Sábado)	7:00 a.m. – 7:00 p.m.
October (octubre) 26	Sunday (Domingo)	11:00 a.m. – 4:00 p.m.
October (octubre) 27 – 31	Monday – Friday (Lunes – Viernes)	7:00 a.m. – 7:00 p.m.

	<b>Location</b> (Ubicación)	<b>Address</b> (Dirección)	<b>City</b> (Ciudad)	<b>Zip Code</b> (Código postal)
1	Bob Duncan Center	2800 South Center Street	Arlington	76014
2	Eizie Odom Athletic Center	1601 NE Green Oaks Boulevard	Arlington	76006
3	Center for Community Service Junior League of Arlington	4002 West Pioneer Parkway	Arlington	76013
4	South Service Center	1100 SW Green Oaks Boulevard	Arlington	76017
5	Tarrant County Sub-Courthouse in Arlington	700 E. Abram Street	Arlington	76010
6	B J Clark Annex Room 4	603 Southeast Parkway	Azle	76020
7	Bedford Public Library	2424 Forest Ridge Drive	Bedford	76021
8	Benbrook Community Center	228 San Angelo Avenue	Benbrook	76126
9	Colleyville City Hall	100 Main Street	Colleyville	76034
10	Crowley Community Center	900 East Glendale Street	Crowley	76036
11	Euless Public Library	201 North Ector Drive	Euless	76039
12	Forest Hill Civic and Convention Center	6901 Wichita Street	Forest Hill	76140
13	All Saints Catholic Church Parish Hall	200 N.W. 20 <sup>th</sup> Street	Fort Worth	76164
14	Diamond Hill/Jarvis Library	1300 Northeast 35 <sup>th</sup> Street	Fort Worth	76106
15	Griffin Sub-Courthouse	3212 Miller Avenue	Fort Worth	76119
16	Handley-Meadowbrook Community Center	6201 Beatty Street	Fort Worth	76112
17	James Avenue Service Center	5001 James Avenue	Fort Worth	76115
18	JPS Health Center Viola M. Pitts/Como Lower Level – Suite 100	4701 Bryant Irvin Road N.	Fort Worth	76107
19	Southside Community Center	959 East Rosedale Street	Fort Worth	76104
20	Southwest Community Center	6300 Welch Avenue	Fort Worth	76133
21	Southwest Sub-Courthouse	6551 Granbury Road	Fort Worth	76133
22	Summerglen Branch Library	4205 Basswood Boulevard	Fort Worth	76137
23	Tarrant County Election Center Main Early Voting Site (Principal sitio de votación adelantada)	2700 Premier Street	Fort Worth	76111
24	Tarrant County Plaza Building	201 Burnett Street	Fort Worth	76102
25	Villages of Woodland Springs Amenity Center	12209 Timberland Boulevard	Fort Worth	76244
26	Worth Heights Community Center	3551 New York Avenue	Fort Worth	76110
27	Asia Times Square	2615 W. Pioneer Parkway (Corner Pioneer Pkwy and Great Southwest Pkwy)	Grand Prairie	75051
28	Lake Park Operations Center	5610 Lake Ridge Parkway	Grand Prairie	75052
29	Grapevine Convention Center	1209 S. Main Street	Grapevine	76051
30	Haltom City Northeast Center	3201 Friendly Lane	Haltom City	76117
31	Hurst Recreation Center	700 Mary Drive	Hurst	76053
32	Keller Town Hall	1100 Bear Creek Parkway	Keller	76248

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**TARRANT COUNTY EARLY VOTING**  
(VOTACIÓN ADELANTADA DEL CONDADO DE TARRANT)

**NOVEMBER 4, 2014**

(4 DE NOVIEMBRE DE 2014)

**JOINT GENERAL AND SPECIAL ELECTIONS**  
(ELECCIONES GENERALES CONJUNTAS Y ESPECIALES)

**List of Early Voting locations continued**  
(Lista de casetas de votación adelantada continuó)

	<b>Location</b> (Ubicación)	<b>Address</b> (Dirección)	<b>City</b> (Ciudad)	<b>Zip Code</b> (Código postal)
33	Kennedale Community Center	316 West 3rd Street	Kennedale	76060
34	Sheriff's Office North Patrol Division	6651 Lake Worth Boulevard	Lake Worth	76135
35	Mansfield Sub-Courthouse	1100 East Broad Street	Mansfield	76063
36	Dan Echols Center	6801 Glenview Drive	N. Richland Hills	76180
37	North Richland Hills Public Library	9015 Grand Avenue	N. Richland Hills	76180
38	Eagle Mountain-Saginaw ISD Administration Building 6 – Training Room	1200 Old Decatur Road	Saginaw	76179
39	Southlake Town Hall	1400 Main Street	Southlake	76092
40	White Settlement Public Library	8215 White Settlement Road	White Settlement	76108

**Temporary Location with Special Days and Hours**  
(Lista de Caseta Temporal con Días y Horas Especiales)

October (octubre) 21 – 23      Tuesday – Thursday (Martes – Jueves)      8:00 a.m. – 5:00 p.m.

A	Southwestern Baptist Theological Seminary Naylor Student Center	1900 West Boyce Avenue	Fort Worth	76115
B	UNT – Health Science Center Carl E. Everett Education and Administration Building	3500 Camp Bowie Boulevard	Fort Worth	76107

October (octubre) 28 – 30      Tuesday – Thursday (Martes – Jueves)      7:00 a.m. – 7:00 p.m.

C	Tarrant County College Northeast Campus Student Center NSTU 1506	828 W. Harwood Road	Hurst	76054
D	Tarrant County College Northwest Campus WSTU 1305	4801 Marine Creek Parkway	Fort Worth	76179
E	Tarrant County College South Campus Student Center Room SSTU 1112	5301 Campus Drive	Fort Worth	76119
F	Tarrant County College Southeast Campus North Ballroom	2100 Southeast Parkway	Arlington	76018

October (octubre) 27 – 30      Monday – Thursday (Lunes – Jueves)      7:00 a.m. – 7:00 p.m.

G	UTA – University of Texas at Arlington Maverick Activities Center	500 W. Nedderman Drive	Arlington	76019
H	TCU – Texas Christian University Brown-Lupton University Union	2901 Stadium Drive	Fort Worth	76129

Application for a Ballot by Mail may be downloaded from our website: [www.tarrantcounty.com/elections](http://www.tarrantcounty.com/elections)  
(Solicitud para Boleta por Correo se puede descargar de nuestro sitio web): [www.tarrantcounty.com/elections](http://www.tarrantcounty.com/elections)

Information by phone: Tarrant County Elections Administration, 817-831-8683  
(Información por teléfono): (Administración de Elecciones del Condado de Tarrant 817-831-8683)

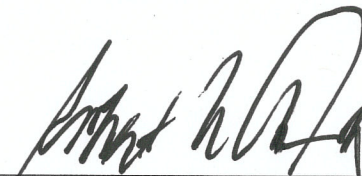
Applications for a Ballot by Mail must be submitted between September 5, 2014 and October 24, 2014 by mail or fax to:  
(Solicitudes para una Boleta por Correo pueden ser sometidas entre el 5 de Septiembre de 2014 y 24 de Octubre de 2014 por correo o fax a):

Early Voting Clerk (Secretario De Votación Adelantada)  
PO Box 961011  
Fort Worth TX 76161-0011


**Fax: 817-831-6118**

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12<sup>th</sup> PRESENTED, FINALLY PASSED AND APPROVED, AND EFFECTIVE on the  
day of August, 2014, by a vote of 7 ayes and 0 nays at a regular meeting of the  
City Council of the City of Arlington, Texas

  
\_\_\_\_\_  
ROBERT N. CLUCK, Mayor

ATTEST:

  
\_\_\_\_\_  
MARY SUPINO, City Secretary

[SEAL]

APPROVED AS TO FORM:  
JAY DOEGEY, City Attorney

By:   
\_\_\_\_\_

*Signature Page for Ordinance Calling Election*

MINUTES AND CERTIFICATION PERTAINING TO  
PASSAGE OF AN ORDINANCE

STATE OF TEXAS           §  
COUNTY OF TARRANT   §  
CITY OF ARLINGTON     §

On August 12, 2014 the City Council of the City of Arlington, Texas, convened in a regular meeting at the regular meeting place thereof, the meeting being open to the public and notice of said meeting, giving the date, place and subject thereof, having been posted as prescribed by Chapter 551, Texas Government Code, as amended; and the roll was called of the duly constituted officers and members of the City Council, which officers and members are as follows:

Robert N. Cluck, Mayor	Robert Shepard	)	
	Sheri Capehart	)	
	Kathryn Wilemon	)	Members of
	Lana Wolff	)	the Council
	Robert Rivera	)	
	Jimmy Bennett	)	
	Michael Glaspie	)	
	Charlie Parker	)	

and all of said persons were present except Sheri Capehart, thus constituting a quorum. Whereupon, among other business, a written ordinance bearing the following caption was introduced:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN THE CITY, MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS RELATING THERETO

The Ordinance, a full, true and correct copy of which is attached hereto, was read and reviewed by the City Council. Thereupon, it was duly moved and seconded that the Ordinance be passed and adopted.

The Presiding Officer put the motion to a vote of the members of the City Council, and the Ordinance was passed and adopted by the following vote:

AYES: 7                      NOES: 0                      ABSTENTIONS: 0